

# **US EPA**

## **Brownfields Program**

### **Overview**

# Current Program

Designed to provide communities some of the added capacity to work on redevelopable sites.



**IH - Canton, IL**

# Current Program

By providing funding for planning, assessment and cleanup...

- \$60 M in funding out
- \$510 M in ongoing projects
- 473 community assessed sites
- 193 state assessed sites
- 75 sites ready for redevelopment
- 29 sites undergoing cleanup
- 37 redevelopment projects
- 1100 new jobs

# Current Program

Much redevelopment is not industrial.



MEI, HfH    Twin Cities, MN

# Current Program

Involves other agencies:

- HUD - BEDI, EDI, CDBG, Loan and Mortgage guarantees
- EDA - Economic development grants
- States
- Communities



Solvay Coke - Milwaukee, WI

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# Current Program

Public sector reuses





# Current Program

Metro Transit Authority - Before





# Current Program

Not all brownfields are urban...



**Missabe Range -  
Minnesota**

# Current Program

Senior Services Center - Virginia, MN



# Legislation Background

- Brownfield Program lacked legislative authority
- Operated under Superfund law and rules (NCP)
- Legislation was Administration Priority
- Senate Bill 350 passed 99-0 in April 2001
- HR 2869 and HR 1831 joined in Sept 2001
- Combined House and Senate Bills passed 12/20/01. Signed into law 1/11/02.

# Brownfields Revitalization

An act in 3 subtitles:

- Brownfields Funding
- Liability Relief
- State Programs



**Northwestern Steel -  
Sterling, IL**

# EPA's Brownfields Funding

- \$250M authorized per year to...  
“eligible entities”...cities, redevelopment authorities, regional councils, states and tribes - to assess and clean up sites.
  - \$200M offered on a competitive basis
  - \$50M to build or enhance state and tribal response programs.
- Grant cycle should open by 9/30/2002.

# Brownfields Funding



- May limit funds available per year for a single recipient
- Communities may come in year after year for additional funding on new sites.

# What funds are available?

- **Site Assessment Grants**
- **Brownfields Revolving Loans & Grants for Cleanup**
- **Cleanup Grants**
- **Other EPA assistance**
- **Grants to Tribal and State Environmental Response Programs**
- **Job Training Grants**



# What properties are eligible?

## Expanded definition of a brownfield:

“real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant”

**Unless it's one of the following:**

# Exclusions and “Add-backs”

**These sites are only a brownfield if EPA “adds them back” on a site-by-site basis:**

- site of a planned or on-going removal action
- site where there is a federal (non CERCLA) enforcement action
- site that is subject to RCRA corrective action and a permit or order has a corrective action component
- certain SW land disposal units are present
- portions of sites where PCBs have been discharged
- portions of sites where LUST Trust funds are used

# Exclusions from BF Funds

These properties are not eligible for brownfields funds:

- a site that is on or proposed for the Superfund National Priorities List
- a site that is subject to a Superfund enforcement action
- federally held lands, except tribal lands.

# Covers Additional Types of Sites

- **petroleum  
contamination sites**
  - **up to 25% of funds**
- **mine-scarred sites**
- **impacted by a  
controlled  
substance**
- **asbestos and lead-  
based paint**



# 1. EPA Site Assessment Grants

## **Site assessment grants:**

- \$200,000 grant, with one-time waiver to \$350,000
- community-wide or property-specific for:
  - inventory
  - characterization
  - assessment
  - planning
  - insurance
  - petroleum
  - hazardous waste

# Who Can Apply for Assessment Grants?

- “Eligible Entities”:
  - Local governments
  - Tribes
  - States
  - Redevelopment agencies
  - Other specific types of governmental agencies

# Examples of Eligible Activities



- **Area-wide groundwater assessments**
- **Multi- or single property Phase I and II environmental assessments**
- **Site Investigations**
- **Creation of site inventories, with GIS data**
- **Planning activities**



## 2. Revolving Loans for Cleanups

- \$1M grant from EPA to:
  - Local governments
  - Tribes
  - States
  - Redevelopment agencies
  - Other specific types of governmental agencies
- to create revolving loan fund
- recipient can loan to other eligible entities, themselves, non profits, & private parties



# Revolving Loans for Cleanups

- can grant up to 40% to eligible entity or non-profit that owns property
- loan entity can keep the money once it is repaid
- cannot provide loan or grant to party that caused contamination
- federal technical and administrative requirements are reduced.

# Revolving Loans for Cleanups

- petroleum properties are eligible.
- asbestos and lead paint abatement are possible actions.
- may require 20% match
- terms of repayment are up to loan entity.
- TIF and ER TIF proceeds can be repayment mechanism.
- eligible entity may receive more funding over time.

# 3. Brownfield Cleanup Grant

- covers cleanup costs
- \$200,000 per project
- eligible entities and non profits can receive grant
- property must be owned by grant recipient
- can cover insurance costs
- cannot be given if person who caused contamination can pay
- petroleum properties are eligible

# Brownfield Cleanup Grant

A local government may use no more than 10% of cleanup grant to:

- monitor the health of populations exposed to a brownfield property
- monitor and enforce institutional controls

# Examples of Eligible Activities

- Removal and treatment of contaminated soil
- Engineering barrier over contaminated soils
- Active groundwater treatment system
- Groundwater monitoring
- Environmental insurance

## 4. Other EPA Assistance

EPA cannot expend more than 15% per year for:

- training, research & technical assistance for non-profits and eligible entities
- facilitating an inventory of brownfields
- providing assessments, remediation and community involvement or site preparation



# How to Apply

- Application materials expected out by September 30, 2002
- DNR will notify through listserv emails & web
- Will be in posted on EPA's web site at: [www.epa.gov/swerosps/bf/](http://www.epa.gov/swerosps/bf/)
- Also, call EPA Region 5 contact

# Process: 2 likely steps....

## 2-step process:

- initial submittal of application and site information to EPA Region V -11/02
- will screen for site eligibility
- eligible projects invited to submit Step 2 or final proposal application to EPA HQ - 02/03
- awards in June/July 2003

# EPA Grants for Tribal and State Environmental Response Programs

# State and Tribal Response Programs

- Authorizes \$50M per year to assist states and tribes in developing and enhancing response programs.
- Funds available if it has a BF/VCP MOA, or is developing or has a program with the following elements:
  - timely survey and inventory of brownfields
  - oversight and enforcement authorities
  - meaningful public participation
  - mechanism for cleanup plan and completion approval

# State and Tribal Response Programs

- State and tribal response programs may use the funds to hire staff, purchase equipment, perform assessments, purchase insurance products and establish loan programs...plus more.

# Unfinished Work

Ft Wayne, IN - Labor Day, 1997



# Unfinished Work



## **Phoenix Place, Ft Wayne, IN—2000**

Fed grant, State grant and loan, City funds,  
Housing not-for-profit

# Unfinished Work

Jackson, Michigan - Consumer's  
Energy Headquarters, March 2002  
After \$50K Phase II





# Unfinished Work

## River Way - East Moline, IL

Road project offering access to commercial, residential  
and recreational development



# Unfinished Work

## Partnerships:

- Creativity comes in groups - 14 on this house...
- No one entity has all the solutions. EPA program designed to work with existing efforts.



# Some sites require more...

## Northwestern Steel - Sterling, IL

- State Funding
- Fed Funding
- Private Sector Investment
- Fed Enforcement Agreement

Commitment of City =  
key

